

**MONTANA PUBLIC SERVICE COMMISSION  
UTILITY DIVISION  
AGENDA NO. 08-04-22**

Date Published: April 17, 2008  
For Work Week Commencing: April 21, 2008  
Commission Meeting: April 22, 2008, 9:00 a.m.

*General Introduction* *This agenda is the Commission's Utility Division agenda for the work week designated. In the latter part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.mt.gov>.*

*Place of Meetings* *All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.*

*Live webcast* *Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio and video feed links on the PSC website (<http://psc.mt.gov/eDocs/#Calendars>). The audio feeds of meetings are also archived at the same website location.*

*Inquiries* *General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.*

*Accommodation for Persons with Disabilities* *Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.*

**9:00 a.m. Weekly Scheduling** (Commission Conference Room – No Web Audio Feed)

**9:30 a.m. Business** (Bollinger Room)

**Public Comments**

**Action Items** All items identified below are for action at the Commission business meeting.

1. NorthWestern Corporation (NOR) N2007.8.97 (Eric)

On August 20, 2007, NWE filed an application for approval of its proposed Rule 16 – Electric Net Metering to be included in its Electric Tariff. On September 4, 2007, the Commission issued a Notice of Application, Opportunity to Comment and Deadline to Request Hearing. No comments or requests for hearing were received. The purpose of the tariff is to codify the current net metering policy of NorthWestern Energy. Probable Motion: Approve NorthWestern Energy's filed Net Metering Tariff.

2. Sprint N2008.4.34 (Scott)

On April 7, 2008, Sprint requested changes to its Montana P.S.C. Price List No. 1. Sprint requested the following changes: 1) Remove Clarity Option C-1 FONCARD, Option M-2, FONCARD and VPN services as there are no longer any customers on these services, 2) Rename two services, 3) Update information in the Airlines/Sprint Partnership Program, 4) Insert grandfather dates which were inadvertently missed when certain services were grandfathered, 5) Grandfather the Qualified Residential (Satellite Locations) for Sprint Block of Time Service and Sprint Business Adjustable Rates Plan, 6) Remove the Term Commitment Discount Schedule for Real Solutions services and add the reference to the interstate schedule, 7) Remove the interstate MRC for Sprint Block of Time and add the reference to the interstate schedule, 8) Remove the Sprint Voice Solutions Dedicated Foncard which was never offered as a product, 9) Remove the Toll Free MRC for Real Solutions VPN which is an interstate charge, 10) Remove the Toll Free MRC for Voice Solutions VPN which is an interstate charge, 11) Standardize the Foncard surcharge for Real Solutions Annual and Real Solutions Annual II services, and 12) Make miscellaneous text changes. Sprint respectfully requests for this tariff filing to become effective April 28, 2008. Probable Motion: Approve Sprint's Montana P.S.C. Price List No. 1 changes in N2008.4.34.

**Work Sessions** All items identified below are for Commission discussion or action on the day designated.

1. FCC 96-45 – Mid-Rivers Telephone Cooperative, Inc. – On March 14, 2008, Mid-Rivers Telephone Cooperative, Inc. (Mid-Rivers) filed with the FCC a petition for waiver of the study area boundary freeze to include its Terry, Montana exchange in its existing study area. Mid-Rivers also requests waiver of Section 69.3(e)(11) of the Commission's rules, if necessary, in order to include the Terry access lines, revenues and investment in the NECA tariff process. – Discuss the filing of comments. (4/22/08)
2. D2008.2.17 – PSC Initiated - Investigation of Qwest Corporation's Apparent Noncompliance with Order 5535g in Docket 90.12.86 Related to Other Post-Employment Benefits (OPEBs) – Discussion of next steps. (4/22/08)
3. D2007.9.108 – Montana-Dakota Utilities Co. – Application to Implement a Gas Cost Tracking Adjustment Change – Discuss the consolidation of MDU's October 2007 gas tracking adjustment filing with the next annual tracking filing to be effective October 2008. (4/22/08)
4. Prospect Wind LLC – Complaint against NorthWestern Energy – Discuss filing received from Prospect Wind LLC and provide direction to staff. (4/22/08)
5. D2008.2.15 – Stillwater Utility, LLC – Application to Implement Initial Rates and Charges for Water Service in its Kalispell, Montana Service Area – Establish initial interim rates. (4/22/08)
6. D2007.7.79 – Montana-Dakota Utilities Co. – General electric rate case – Discuss/act on final order draft. (4/22/08)
7. D2007.12.152 – Two Dot Wind, LLC – Petition to have PSC establish terms and conditions for a QF contract with NorthWestern Energy – Discuss/act on final order. (4/22/08)
8. Placeholder - EPP request for 2009 legislature; FY 2008 budget - Further discussion if needed. (4/22/08)

**Other Meetings**

Weekly Scheduling, Review of Monthly Calendars, and Docket Status Updates (if requested by a Commissioner).

**Notice Items** All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. AT&T N2008.4.37 (Scott)

On April 11, 2008, AT&T filed Tariff Transmittal 2008-05, Private Line Interoffice Channels and Local Channel Services Tariff. This filing changes names for selected Private Line Services in the above-mentioned tariffs. AT&T requests an effective date of May 14, 2008.

**Protective Orders – Notice Items** The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person wanting a copy of a protective order request should contact the Commission at (406) 444-6199.

**Protective Orders – Information Items** The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008. Copies of these orders may be obtained by calling the Commission at (406) 444-6199.

**Information Items** All items identified below are for information only.

**New Filings Received in Past Week**

D2008.4.35 – PSC Initiated – Investigation of NorthWestern Energy's Contracting Procedures Related to New Qualifying Facilities

D2008.4.36 – PSC Initiated – Investigation Concerning NorthWestern Corporation's Compliance with Affiliate Transaction Requirements of Order 6505e

N2008.4.37 – AT&T Communications – Tariff Transmittal 2008-05, Private Line Interoffice Channels and Local Channel Services Tariff